



P.O. Box 12630
San Diego, CA 92112
legal@getitfree.us

December 14, 2017

RE: *Violation of the Telephone Consumer Protection Act*

Dear Mr. Cunningham:

I have just received and reviewed your December 7, 2017 letter. Thank you for reaching out to us.

We took the time to investigate your phone number and email address, and while your phone number is in our system, your email did not match the phone number listed within. It seems that another individual registered for Get it Free using your telephone number, perhaps by mistyping their own number or for other reasons. Either way, we have opted you out from receiving any more SMS messages to your cell phone 615-212-9191.

As per your request, I have attached a copy of the consent for receiving messages from Get it Free. I have redacted portions of the opt-in to protect the privacy of the individual. I have also attached a copy of our internal SMS Program Policy, which details our internal do-not-call policy. I hope that the information provided herein has helped to resolve your issues. Please feel free to contact me if you have any other questions or concerns.

Sincerely,

A handwritten signature in cursive script, appearing to read "Elizabeth Chu".

Elizabeth Chu
Corporate Counsel

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GET IT FREE SMS PROGRAM POLICY

This SMS Program Policy has been developed to illustrate the standards and procedures employed by Get it Free that supports customer satisfaction along with adherence to business ethics and practices. Federal law applies to the SMS Program, and this policy is offered to help you understand your obligations to consumers under federal law.

COMPLIANCE WITH FEDERAL LAW

Get it Free has developed standards and procedures to maintain professional business conduct that meets or exceeds the required operational standards set forth by the Federal Communications Commission's ("FCC") Telephone Consumer Protection Act ("TCPA").

FCC TELEPHONE CONSUMER PROTECTION ACT

The TCPA mainly regulates automated telephone dialing, making it unlawful to call anyone using an automatic telephone dialing system without the individual's prior consent. The basic requirements of the TCPA are as follows:

- ☐ Prohibits, without the prior express consent of the called party, making calls to the following: i) Emergency telephone line; ii) Guest room or patient room of a hospital, health care facility, elderly home or similar establishment; iii) Number belonging to paging service, cell phone, mobile radio service; radio common carrier service, or any service for which the called party is charged for the call.
- ☐ Prohibits, without the prior express consent of the called party, use of an artificial or prerecorded voice to deliver a message.
- ☐ Using a fax machine, computer or other device to send an unsolicited advertisement to a fax machine.
- ☐ Prohibits use of an automatic telephone dialing system in such a way that two or more telephone lines of a multi-line business are engaged simultaneously.
- ☐ Requires phone to ring for 15 seconds or four rings before disconnecting an unanswered call.
- ☐ Prohibits abandoning more than 3% of all telemarketing calls that are not answered live by an individual and requires records be maintained establishing compliance.
- ☐ Prohibits using any technology to dial any telephone number for the purpose of determining whether the line is a facsimile or voice line.
- ☐ Only place calls to individuals' residences between 8am and 9pm local time without the prior consent of the individual.
- ☐ Prohibits calling individuals on the national "Do Not Call Registry" unless the individual gives express consent to receive calls or the telemarketer making the

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call has a personal relationship with the recipient of the call.

☐ Requires maintenance of an entity specific (Do Not Call) list

GET IT FREE EMPLOYEE CONDUCT

Associate conduct is professional, ethical and customer friendly at all times. Conduct that is contrary to this standard is unacceptable. These Call Center Policies have been drafted to comply with federal requirements. Knowing and following these established policies and procedures ensures your understanding and compliance with FCC's TCPA that effect the operation of the Call Center at Get it Free, not only as they apply to their individual behavior, conduct and work practices, but also the requirements that govern the SMS operations.

NATIONAL DO NOT CALL POLICY

The National "Do Not Call Registry" is a list of individuals that have communicated directly to the FCC and have asked to be placed on the listing to restrict telemarketing calls to their phone number. Exceptions to the National "Do Not Call Registry" include:

- Get it Free Associates may text an individual who has given the company express written permission to call, even if the individual's number is on the Registry.
 - Get it Free receives express written consent from individuals by placing, in a prominent location, a disclosure on its online registration form. The form indicates that by providing a phone number and checking the consent box, the individual gives Get it Free permission to make phone calls to the individual and the individual is consenting to receive phone calls for marketing purposes.
 - The online consent disclosure is not hidden, nor printed in small, pale or non-contrasting type. The individual consents affirmatively by checking a box, which is considered a valid express written consent.
- Get it Free associates may be free from liability if the call is a result of error.
- Get it Free associates will not be liable for a Rule violation if a subsequent call is the result of error.
- However, the call may be subject to an enforcement investigation, which would focus on the procedures in place, how they are implemented, and if all personnel are trained in Do Not Call Procedures.
- If there is a high incidence of errors, it may be determined that the procedures are inadequate to comply with the Rule's DNC requirements, meaning that the calls violate the Rule
- The determination of whether an excusable "error" occurs is based on the facts of each case.

INTERNAL DO NOT CALL POLICY

Get it Free also maintains an internal "Do Not Call" list, which consists of individuals that have communicated directly to Get it Free that they wish to be placed on the internal list.

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When an individual requests to be placed on Get it Free's internal Do Not Call list, their information will automatically be transferred to a live opt-out mechanism that will update the list and opt-out the individual immediately. Get it Free's internal Do Not Call list is updated immediately, which exceeds the FCC's requirement of 30 days.

Get it Free's "Do Not Call" list applies to all lead sources that are dialed either manually or by an auto-dialer. An individual's opt-out request is automatically documented, including the date and time in which they made the request.

SMS TIME RESTRICTIONS

Get it Free is prohibited from sending any SMS messages at any time outside of the permissible hours of 8am to 9pm in the local time zone of the individual called, regardless of their Do Not Call list status.

PROMPT DISCLOSURES

Upon providing written consent to receiving SMS messages from Get it Free, an individual will receive a welcome message stating the following message, or a message of similar quality:

Welcome:

Congrats!

GetitFree has your FREE samples & giveaways.

<http://getitfree.us/welcome>

Reply HELP for help, STOP to opt out.

1 msg/day, Msg&data rates may apply.

HELP:

GetitFree text alerts: 1 msg/day

Info: <http://getitfree.us/>

Help: support@getitfree.us or 18776600729

Reply STOP to cancel.

Msg&data rates may apply.

CONSUMER REQUESTS

Get it Free will follow these procedures in honoring individual's requests that they not be called by having their number placed on the internal Do Not Call List.

Get it Free will follow these procedures in honoring individual's requests for a copy of Get it Free's SMS Program Policy. Get it Free Associates can direct customers to email legal@getitfree.us to request a copy of the Get it Free SMS Program Policy. Get it Free Associates may also email or mail a copy of the Get it Free SMS Program Policy to individuals upon request.